United Nations S/2016/245

Security Council

Distr.: General
16 March 2016
English
Original: Arabic

Letter dated 14 March 2016 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General

On instructions from my Government and with reference to the letter dated 9 February 2016 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (S/2016/131), I have the honour to convey to you the following:

The United Arab Emirates categorically rejects the baseless claims made by the Islamic Republic that the three United Arab Emirates islands of Lesser Tunb, Greater Tunb and Abu Musa in the Arabian Gulf have been and continue to be an integral part of Iranian territory.

The United Arab Emirates previously refuted those claims in its letter to you dated 23 October 2014 (S/2014/759). It provides the following facts to refute those claims:

1. The three islands of Lesser Tunb, Greater Tunb and Abu Musa in the Arabian Gulf are an integral part of the territory of the United Arab Emirates.

2. Iranian forces arrived on Abu Musa island for the first time on 30 November 1971 (see annex to S/2014/759). The presence of those forces on the island was sanctioned by the Memorandum of Understanding regarding Abu Musa that was concluded in November 1971. The provisions of that Memorandum and the map attached thereto delimited, inter alia, the area of Abu Musa that is to be occupied by those forces; that area conforms to the extent of Iranian jurisdiction on the island. The 1971 Memorandum is still in force and binding, and is the only legal basis for the presence of Iranian forces in the area allocated to them on the island. Any unilateral revocation of the 1971 Memorandum of Understanding shall be null, void and without effect because it contravenes the rules and principles of international law.

3. The Iranian armed forces occupied the two islands of Greater Tunb and Lesser Tunb by force on 30 November 1971, in contravention of the Charter of the United Nations, Article 2, paragraph 4. The Government of the United Arab Emirates stresses that the illegality of territorial acquisition resulting from the threat or use of force is an established principle of international law. Moreover, in its resolution 2625 (XXV) of 24 October 1970, entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United

Please recycle

Nations", the General Assembly emphasized that no territorial acquisition resulting from the threat or use of force shall be recognized as legal.

In keeping with its commitment to the peaceful settlement of disputes as provided for in the Charter of the United Nations, the United Arab Emirates calls on the Islamic Republic of Iran to resume negotiations between the two countries on the basis of the elements proposed by the United Arab Emirates at the Abu Dhabi meeting of 27 and 28 September 1992 and the Doha meeting of 18 to 21 November 1995, which were as follows:

1. The illegal Iranian military occupation of the islands of Lesser Tunb and Greater Tunb should be brought to an end.

2. There should be no interference in the exercise by the United Arab Emirates of its jurisdiction over the part of the island of Abu Musa allocated to it under the 1971 Memorandum of Understanding.

3. All of the measures imposed by the Iranian authorities on the jurisdiction of the United Arab Emirates and its citizens on Abu Musa in contravention of the 1971 Memorandum of Understanding should be rescinded.

4. The dispute regarding the three islands should be referred to the International Court of Justice if the two countries fail to reach a negotiated solution within an agreed time frame.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Lana Zaki **Nusseibeh**
Permanent Representative

United Nations S/2016/246

Security Council

Distr.: General
15 March 2016

Original: English

Note by the President of the Security Council

At its 6335th meeting, held on 9 June 2010 in connection with the item entitled "Non-proliferation", the Security Council adopted resolution 1929 (2010).

In paragraph 4 of the resolution, the Council requested the Director General of the International Atomic Energy Agency to communicate to the Council all his reports on the application of safeguards in the Islamic Republic of Iran.

Accordingly, the President circulates herewith the report of the Director General dated 18 December 2015 (see annex).

16-04167 (E) 160316

Please recycle

Annex

Letter dated 18 December 2015 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

I have the honour to enclose herewith the document submitted to the Board of Governors of the International Atomic Energy Agency (see enclosure).

I should be grateful if you would bring the present letter and the enclosed document to the attention of all members of the Security Council.

(*Signed*) Yukiya **Amano**

Enclosure

[Original: Arabic, Chinese, English, French, Russian and Spanish]

Status of Iran's nuclear programme in relation to the Joint Plan of Action*

Report by the Director General

1. As foreshadowed in GOV/2014/2, this report provides information on the status of the Islamic Republic of Iran's (Iran's) nuclear programme in relation to the "voluntary measures" that Iran has agreed to undertake as part of the Joint Plan of Action (JPA) agreed between the E3+3 and Iran on 24 November 2013.[1] The JPA took effect on 20 January 2014, initially for a period of six months.[2] On 24 July 2014, the JPA was extended until 24 November 2014,[3] and on 24 November 2014 it was further extended until 30 June 2015.[4] On 30 June 2015, the E3+3 and Iran requested the Agency, on behalf of the E3/EU+3 and Iran, to continue to undertake the necessary nuclear related monitoring and verification activities in Iran under the JPA "until further communication".[5]

2. The Agency confirms that since 20 January 2014, Iran has:

i. not enriched uranium above 5% U-235 at any of its declared facilities;

ii. not operated cascades in an interconnected configuration at any of its declared facilities;

iii. diluted – down to an enrichment level of no more than 5% U-235 – 108.4 kg of UF_6 enriched up to 20% U-235;[6]

iv. fed 100 kg of UF_6 enriched up to 20% U-235 into the conversion process at the Fuel Plate Fabrication Plant (FPFP) for conversion into uranium oxide;

v. had no process line to reconvert uranium oxides back into UF_6 at FPFP;

---

* Circulated to the Board of Governors of the International Atomic Energy Agency under the symbol GOV/INF/2015/20.

[1] The text of the JPA was communicated to the Director General by the High Representative of the European Union (EU), on behalf of the E3+3 (INFCIRC/855), and by the Resident Representative of Iran to the IAEA, on behalf of Iran (INFCIRC/856).

[2] Previous reports on the status of Iran's nuclear programme in relation to the JPA were provided in GOV/INF/2014/1 (20 January 2014), GOV/2014/10, Annex 3 (20 February 2014), GOV/INF/2014/6 (20 March 2014), GOV/INF/2014/10 (17 April 2014), GOV/2014/28, Annex 3 (23 May 2014), GOV/INF/2014/14 (20 June 2014), GOV/INF/2014/16 (20 July 2014), GOV/INF/2014/19 (20 August 2014), GOV/INF/2014/21 (19 September 2014), GOV/INF/2014/23 (20 October 2014), GOV/INF/2014/26 (24 November 2014), GOV/INF/2014/29 (19 December 2014), GOV/2015/15, Annex IV (19 February 2015), GOV/INF/2015/7 (20 March 2015), GOV/INF/2015/8 (20 April 2015), GOV/2015/34, Annex IV (29 May 2015), GOV/INF/2015/12 (1 July 2015), GOV/2015/50, Annex V (27 August 2015), GOV/INF/2015/17 (21 September 2015), GOV/INF/2015/19 (20 October 2015) and GOV/2015/65, Annex IV (18 November 2015).

[3] GOV/INF/2014/18, Annex.

[4] GOV/INF/2014/28, Attachment.

[5] GOV/INF/2015/11, Attachment.

[6] For details, see GOV/INF/2014/26, footnote 4.

vi. not made "any further advances" to its activities at the Fuel Enrichment Plant (FEP), the Fordow Fuel Enrichment Plant (FFEP) or the Arak reactor (IR-40 Reactor), including the manufacture and testing of fuel for the IR-40 Reactor;

vii. provided an updated Design Information Questionnaire (DIQ) for the IR-40 Reactor and concluded with the Agency a safeguards approach for the reactor[7] (based on the updated DIQ and the safeguards measures agreed on 5 May 2014);

viii. fed 4334 kg of UF_6 enriched up to 5% U-235 into the conversion process at the Enriched UO_2 Powder Plant (EUPP) for conversion into uranium oxide;[8]

ix. continued its safeguarded enrichment R&D practices at the Pilot Fuel Enrichment Plant (PFEP), without accumulating enriched uranium;

x. not carried out reprocessing related activities at the Tehran Research Reactor (TRR) and the Molybdenum, Iodine and Xenon Radioisotope Production (MIX) Facility or at any of the other facilities to which the Agency has access;

xi. provided information and managed access to the uranium mine and mill at Gchine,[9] to the Saghand Uranium Mine[10] and the Ardakan Uranium Production Plant;[11]

xii. continued to provide daily access to the enrichment facilities at Natanz and Fordow;

xiii. provided regular managed access to centrifuge assembly workshops, centrifuge rotor production workshops and storage facilities, and provided information thereon; and

xiv. provided,[12] in relation to enhanced monitoring, the following:
- plans for nuclear facilities and a description of each building on each nuclear site;
- descriptions of the scale of operations being conducted for each location engaged in specified nuclear activities; and
- information on uranium mines and mills, and on source material.

[7] On 31 August 2014.
[8] On 17 December 2015, the Agency verified that 2676 kg of uranium in the form of UO_2 enriched up to 5% U-235 had been produced since the plant started operation.
[9] On 29 January 2014.
[10] On 6 May 2014.
[11] On 7 May 2014.
[12] As of 20 April 2014: pursuant to Iran's undertaking to provide this information within three months of the JPA taking effect, i.e. 20 January 2014.

3. In addition, the Agency confirms that since 24 July 2014, Iran has:

(i) used 119.8 kg of U_3O_8, converted from UF_6 enriched up to 20% U-235, for the manufacture of fuel items for TRR;[13,14]

(ii) used 5.75 kg of U_3O_8, converted from UF_6 enriched up to 20% U-235, for the manufacture of miniature fuel plates for Mo^{99} production;[15] and

(iii) diluted about 4118 kg of UF_6 enriched up to 2% U-235 to the level of natural uranium.

---

[13] The Agency has verified that, since 24 July 2014, an additional 19.4 kg of this U_3O_8 (6.2 kg prior to 24 November 2014 and 13.2 kg since that date), have been generated by and removed from the fuel fabrication process as scrap. Iran reported that this nuclear material had not met the technical specification for fuel fabrication.

[14] Between 16 September 2015 and 7 November 2015, Iran recovered uranium in the form of U_3O_8 from the solid and liquid scrap originating from the conversion and fuel fabrication processes associated with the manufacture of fuel items. The Agency has verified that during this period Iran recovered 44.7 kg of uranium in the form of U_3O_8 suitable for fuel fabrication, of which 41.0 kg has been used for the manufacture of fuel items for TRR.

[15] In a letter dated 28 December 2014, Iran informed the Agency that FPFP was to start the production of miniature fuel plates for the MIX Facility for Mo^{99} production.

United Nations S/2016/247

Security Council

Distr.: General
17 March 2016

Original: English

Letter dated 14 March 2016 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

Within the framework of the "Wiesbaden process", the German Government hosted a fourth industry outreach conference on Security Council resolution 1540 (2004) in Wiesbaden, Germany, on 19 and 20 November 2015, focusing on the theme "Private sector engagement in strategic trade controls: recommendations for effective approaches on United Nations Security Council resolution 1540 (2004) implementation". The international conference was organized in cooperation with the United Nations Office for Disarmament Affairs and the German Federal Office for Economic Affairs and Export Control, with financial support from the Governments of the Republic of Korea and the United States as well as the European Union.

In its resolution 1977 (2011), the Security Council explicitly encouraged the Security Council Committee established pursuant to resolution 1540 (2004) (1540 Committee) to draw also on relevant expertise, including civil society and the private sector (para. 12). In this context, industry is an important stakeholder and partner in combating the proliferation of weapons of mass destruction to non-State actors.

The "Wiesbaden process" has become a successful model. The Fourth Wiesbaden Conference enabled the more than 70 participants from Governments, the 1540 Committee, companies, industry associations, international organizations and academia to share lessons learned and effective practices in support of an active and comprehensive implementation of resolution 1540 (2004). Various private sector industry initiatives were presented in this context. The 2015 Wiesbaden conference concluded by acknowledging the importance of continuing and regionalizing the "Wiesbaden process" in order to successfully and globally implement resolution 1540 (2004). A summarized report of the conference is attached to the present letter (see annex).

The objective of the conference was also to actively contribute to the 1540 Committee's Comprehensive Review in 2016 by focusing on the lessons learned in the previous Wiesbaden conferences and by making concrete proposals. Three outcome documents have thus been compiled to this end under our responsibility: "Key elements of effective industry compliance practices (ICP programmes) to be used by companies" (enclosure I); "Key elements for effective cooperation with and outreach to industry by Governments" (enclosure II) and

"New trends and challenges in the area of strategic trade controls identified by academia and industry" (enclosure III).

I would be grateful if you could circulate the present letter, the conference report and the three outcome documents to the members of the Security Council and issue them as a document of the Council.

(*Signed*) Harald **Braun**
Permanent Representative of Germany to the United Nations

Annex to the letter dated 14 March 2016 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

Fourth Wiesbaden Conference, Germany, 19 and 20 November 2015

Private sector engagement in strategic trade controls: recommendations for effective approaches on United Nations Security Council resolution 1540 (2004) implementation
A contribution to the Security Council 1540 Committee Comprehensive Review in 2016

Executive summary

The private sector is an important stakeholder and partner to Governments in combating the proliferation of weapons of mass destruction, as it has to implement the laws which have been adopted by Member States. An effective partnership between States and private sector industry is therefore vital for successful non-proliferation efforts. In Security Council resolution 1977 (2011), the 1540 Committee is encouraged, at its discretion, to draw also on relevant expertise, including from civil society and the private sector, with, as appropriate, their State's consent. The Wiesbaden process focuses on private sector engagement in the specific context of resolution 1540 (2004), and has so far hosted four international 1540 industry outreach conferences from 2012 to 2015, which were held in Wiesbaden and Frankfurt, Germany. Last year's Wiesbaden conference was entitled "Private sector engagement in strategic trade controls: recommendations for effective approaches on United Nations Security Council resolution 1540 (2004) implementation". The objective of the conference was to contribute to the 1540 Committee comprehensive review in 2016 by focusing on the lessons learned in the previous Wiesbaden conferences.

Three outcomes were compiled to this end, which are submitted to the 1540 Committee as annexes to this report:

- Key elements of effective industry compliance practices (ICP programmes) to be used by companies
- Key elements for effective cooperation with and outreach to industry by Governments (from the industry's perspective)
- New trends and challenges in the area of strategic trade controls identified by academia and industry

The main goal of the Fourth Wiesbaden Conference was to enable companies, industry associations and other private sector entities to share lessons learned and effective practices in support of an active and comprehensive implementation of resolution 1540 (2004). Participants discussed in detail how to develop operating networks and programmes within industry to counter the proliferation of weapons of mass destruction to non-State actors, including terrorists, in the form of private sector initiatives. During the 2015 Wiesbaden conference, various industry initiatives were presented in this context. The Wiesbaden process has become a successful model, synonymous with the outreach of the 1540 Committee and its Expert Group, Member States and relevant international organizations to private

sector entities from appropriate industry sectors to support the implementation of resolution 1540 (2004). The 2015 Wiesbaden conference concluded by acknowledging the importance of continuing and regionalizing the Wiesbaden process in order to successfully and globally implement resolution 1540 (2004). The German Government is prepared to continue supporting this process and to host or co-host subsequent conferences. One of the achievements of the Fourth Wiesbaden Conference was the commitment to its continuation at a regional level.

The Republic of Korea has announced that it will host a regional event in the spirit of the Wiesbaden process in Seoul in September 2016.

1. Preface

United Nations Security Council resolution 1540 (2004) requires United Nations Member States to close any legislative and regulatory loopholes to prevent non-state actors from obtaining access to weapons of mass destruction, their means of delivery and related materials. In the context of resolution 1540 (2004) and its follow-up resolutions, the Security Council also acknowledged the importance of private sector engagement. In particular, in resolution 1977 (2011) the 1540 Committee is encouraged, at its discretion, to draw — among other sources — on relevant expertise in the private sector.

The resolution imposes legally binding obligations on all United Nations Member States to have and enforce appropriate and effective measures against the proliferation of nuclear, chemical and biological weapons and their means of delivery, including controls over related material. However, industry remains a critical partner for Governments in the effective implementation of resolution 1540 (2004), since these laws and control measures are addressed to industry, including the private sector. It is therefore crucial to keep industry informed and maintain dialogue to team up in the fight against the proliferation of weapons of mass destruction.

On these grounds the German Government, in cooperation with the United Nations Office for Disarmament Affairs, initiated the Wiesbaden process, focusing on private sector engagement in the specific context of resolution 1540 (2004). It has so far hosted four major international industry outreach conferences since 2012. While the 2012 conference aimed to strengthen the partnership between government and industry in general, the 2013 conference focused on detailed aspects of Security Council resolution 1540 (2004) implementation in the area of biosecurity, and the 2014 conference sought to identify non-proliferation-related compliance and management strategies within companies.

The 2015 Wiesbaden Conference was entitled "Private sector engagement in strategic trade controls: recommendations for effective approaches on United Nations Security Council resolution 1540 (2004) implementation — a contribution to the 1540 Committee comprehensive review 2016". It focused particularly on contributing to the 1540 Committee comprehensive review by compiling effective approaches on resolution 1540 (2004), both by recapitulating the findings of previous conferences and by summarizing responses to new trends and challenges. The outcomes annexed to this report form a contribution to resolution 1540 (2004).

Comprehensive review in 2016

The review is tasked with assessing the progress on implementation made since the previous review in 2009 and recommending further steps or measures for the 1540 Committee to serve the common interest, i.e. preventing the proliferation of weapons of mass destruction to non-State actors, including terrorists. As the Committee seeks wide-ranging input for its comprehensive review, the German contribution may help to develop better and more appropriate ways to work with and inform industry and the public on their obligations arising from national laws implementing the resolution.

2. Fourth Wiesbaden Conference

In the tradition of the Wiesbaden process, the 2015 conference, on private sector engagement in strategic trade controls brought together private sector representatives and regulators in order to encourage discussion and exchange of effective practices. The conference was organized in cooperation with the United Nations Office for Disarmament Affairs, with financial support from the Governments of the Republic of Korea and the United States, as well as from the European Union. Logistical support and substantial input was provided by the German Federal Office for Economic Affairs and Export Control.

The majority of the approximately 70 participants represented industry associations and initiatives, as well as global enterprises, operating in diverse sectors and jurisdictions. Other participants included compliance experts, as well as representatives from relevant international organizations, government authorities and academia. The two-day conference featured lively discussions throughout the event as well as presentations designed to further promote cooperation between industry and regulators to improve industry dialogue within the framework of resolution 1540 (2004). Speakers emphasized that the Wiesbaden process has helped to strengthen awareness of the need to promote non-proliferation at a global level. In times of terrorist threats and attacks, such as those in Paris, a united and comprehensive approach to preventing proliferation of weapons of mass destruction to non-State actors is becoming more and more important.

One main goal was the identification of key elements of effective industry compliance practices (ICP) by incorporating the outcomes of previous conferences. An additional focus was the identification of key elements of effective regulatory actions from the industry's perspective. Participants engaged in constructive debates addressing how a future public-private partnership could be defined and what practical steps would have to be taken in this direction to achieve long-lasting efficiency. The Fourth Wiesbaden Conference included practical discussions on how to enhance this partnership and how compliance management throughout different industry sectors could be facilitated.

Another aim of the conference was to discuss the feasibility and value of industry and private sector networks. Previous conferences had stressed the need to enhance non-proliferation-related information-sharing among industry representatives, which — despite business competition — is in the interests of all private sector actors.

In conclusion, participants agreed on the idea of continuing and even replicating the Wiesbaden process. To this end, the Republic of Korea has announced its intention to host a regional event, in the spirit of the Wiesbaden process, in Seoul in September 2016.

3. Proceedings

3.1 Update on international trends and new developments in the area of strategic trade controls

Government representatives of six important export markets (Germany, India, Mexico, Poland, the Republic of Korea and the United States of America) provided overviews about developments in their respective States, especially with regard to national legislation and licensing procedures. Discussions focused on the respective agencies involved in the licensing process, timelines for handling licence applications, updating of control lists, possibilities for simplified procedures and the importance of online tools such as webinars. Furthermore, they stressed the importance of industry-to-industry cooperation and outreach to industry. It was recognized that industry feedback is necessary when it comes to legislative reforms.

Requesting and taking into consideration industry comments on new draft legislation would lead to a better final legislative framework. Industry representatives welcomed such initiatives requesting their input and were eager to proactively find a balance between an industry-friendly and at the same time proliferation-proof framework.

Conference participants conceded that, in order to establish a truly level playing field, the strong global harmonization of regulations is key, especially to stop companies from "licence shopping" in countries that only provide a weak legislative framework. All conference participants welcomed this panel as a chance to meet and discuss with regulators. They recommend maintaining such formats in the future since they provide a chance for mutual exchange and updates as well as setting strong incentives for companies to send their representatives to 1540 conferences.

3.2 Reflections on the role of industry in fighting proliferation

Participants representing different industry sectors highlighted the importance of cooperation with Governments to successfully move forward in the fight against proliferation. They also reminded regulators that industry fully understands the importance of the issue at hand and is willing to play an active role. However, a reliable legislative and administrative environment is fundamental and one of the chief requirements most companies demand. Issuing of licences by the regulators, for example, must take place within reasonable and predictable time frames, since time is a very important factor in the export business.

The need for more education and awareness-raising was emphasized. It was suggested that large companies could partner with small to medium-sized enterprises (SMEs) in order to improve knowledge transfer. It was highlighted that establishing a culture of compliance within a company is a key factor for success. This culture must be represented and internalized by the top management of a company and convincingly communicated by the middle management. Furthermore, companies should be motivated to share best practices. If, for security reasons, a

company-to-company exchange is not an option, sharing with universities could be a possible solution.

Large companies are often better prepared than SMEs, so financing is definitely an important factor. A sustainable culture of compliance is needed; it should be in the DNA of every company, if not actually in the global business itself.

3.3 Defining recommendations on how obligations related to Security Council resolution 1540 (2004) can be facilitated and enhanced

During this session, three panel discussions were held to discuss and update on proliferation risk management through corporate governance. In the first panel, effective industry compliance practices (ICP) were identified. In the second panel, industry expectations of what authorities need to deliver were discussed. The detailed outcomes of the two discussions are compiled in two papers attached as enclosures I and II. The third panel, comprising four speakers, sought to identify new trends and challenges in the field of strategic trade control and compliance management. The trends and challenges presented in this panel derived from different sectors: companies handling dual-use items, the transport and the banking sector. The detailed outcomes of this discussion are compiled and attached as enclosure III.

Participants agreed that these trends and challenges will need to be addressed in much more detail in the future, either by individual Governments or preferably within a broader context in order to find comprehensive global solutions. Furthermore, it was suggested that the 1540 Committee could offer guidance to Governments with regard to the most important trends and challenges that were mentioned in this panel.

3.4 Defining the partnership: practical steps for continuing the dialogue with industry and how to solicit advice from industry

In the closing session two panel discussions were held, dealing with the future of the Wiesbaden process. The comprehensive implementation of resolution 1540 (2004) and the involvement of all relevant stakeholders — explicitly including industry — remains an important concern of the German Government, which is why the Wiesbaden process needs to be continued. The German Government is therefore prepared to continue this process and host or co-host further conferences.

These should take place both in Wiesbaden and abroad and in cooperation with other States in order to establish a more thematic and regional focus while also facilitating an industry-to-industry dialogue.

Panel 1: Networks

The Wiesbaden conferences aim to provide a global and cooperative discussion forum to allow relevant industries, associations and companies to share their experiences and effective practices as well as to discuss challenges. All previous conferences had identified the need to enhance non-proliferation-related information-sharing among industry representatives, which — despite business competition — is in the interests of all private sector actors. As a result, the idea of creating global industry compliance networks as a platform for exchange among

industry representatives, as well as between industry and national regulators, was put forward by panel members, and different models were suggested.

Participants found that compliance networks could complement the Wiesbaden conferences and other international forums by constituting a partnership that directly represents the ideas and input of industries and the private sector. Building a network within industry to counter the proliferation of weapons of mass destruction to non-State actors in the form of private sector initiatives would be very valuable. In this regard, networks could play an important role as civil society contributors to support Member States' efforts, to facilitate the sharing of best practices among different industries in compliance programmes and to enable big companies to partner with smaller companies in order to enhance their compliance. Last but not least, industry networks could help improve understanding and implementation of Security Council resolution 1540 (2004) by assuming a greater role in the process.

Panel 2: Regionalization

The Fourth Wiesbaden Conference was specifically designed to contribute to the Committee's comprehensive review and to chart a way forward for continued engagement with industry. Specific regions in the world and specific industry sectors are facing different challenges, and the Wiesbaden process should take these into consideration in future. To this end, participants suggested replicating the Wiesbaden process at a regional level in order to be able to focus on the particular needs and circumstances of a region or a specific industry. The Republic of Korea announced its intention to host a conference inspired by the Wiesbaden process, which will take place in Seoul in September 2016. In addition, other initiatives in the spirit of the Wiesbaden process were presented. Participants welcomed these regionalization efforts as a way to carry on the work the Wiesbaden process has set in motion.

Enclosure I

Key elements of effective industry compliance practices (ICP programmes) to be used by companies

1. **Leadership and corporate governance (culture/policy)**

   - Self-restrictions and ethics are a decisive factor in combating the proliferation of weapons of mass destruction
   - High-level awareness and responsibility in companies needed
   - Management commitment/top-level policy statement
   - Social responsibility should not be delegated or outsourced — as everywhere the individual contribution matters
   - Additional benefits of export-control-related compliance measures for company should be highlighted (such as propriety of information, protection of know-how, etc.)

2. **Identifying the scope of regulatory requirements**

   - Starting point: careful assessment of the scope of regulatory requirements
   - Need to be aware of relevant regulations in all countries of operation (broadest legal coverage possible/greatest common denominator) including follow-up on licences and authorizations obtained and retaining appropriate records
   - Advantages of global, group-wide solutions
   - Scope of compliance needs to be comprehensive: importing, exporting and re-exporting goods, technology, software, services and financial transactions

3. **Organizational structure and chain of responsibility**

   - Sufficient human resources are needed
   - Appoint a Chief Export Control Officer
   - Establish a compliance organization and give it time/power/resources/clear competencies
   - Define clear roles/responsibilities through guidelines and job descriptions — and communicate these rules within the company
   - Establish and make available written guidelines within the company — request guidance if necessary
   - Information Technology support is essential
   - Industry compliance practices (ICPs) have to be adapted to the scale and size of individual business

4. **Transactional due diligence**

- Check the export classification of the product, software, service or technology prior to export to determine whether any authorization is required
- Screening of transactions against all applicable rules (adherence to national and international legal requirements)
- Screen customers/"know your customer"/know your business
- Carefully watch for warning signs or "red flags"
- Follow your business process to ensure jurisdiction and classification are determined prior to export
- Secure compliance at all relevant units in company for licensing procedures, reports and record keeping
- Support the export control system by electronic data processing

5. **Documentation and archiving**

- Define period of safe-keeping
- Define scope of documents
- IT support

6. **Training and human resources matters**

- Important: selection of staff/skills; experience and knowledge of staff
- Training of all staff concerned: hold seminars for compliance staff, in-house training for operating personnel
- Hold general export control awareness seminar for remaining staff

7. **Monitoring and audits**

- Provide for checks and surveillance of workflow within company
- Provide for corrective action and conduct audits of ICP on a regular basis
- Provide for escalations/whistleblowing

Enclosure II

Key elements for effective cooperation with and outreach to industry by Governments

1. **Refinement of legislation according to businesses' needs**

- Business and administration need good, coherent and workable provisions which are easy to understand and provide a reasonable level of control ("keep it simple")
- Export-control-related regulations should reflect and consider the reality of systems, business models, and operations. Legislation (and its implementation) should be appropriate and risk-based
- Effective implementation and legal certainty are crucial: need for a clear assignment of responsibilities to each actor — export control authorities, trade industry, financial institutions, etc.
- Companies need good administration, i.e. quick, reliable and transparent application procedures
- A solid legal framework and agreed procedures are required to exchange sensitive procurement data/attempts (information technology within companies)
- Legislation and information need to be published and be easily accessible — ideally in different languages. Avoid unconsolidated publications, provide consolidated versions of legislation (e.g. sanctions lists); information provided to economic operators must be actionable
- A global supply chain calls for common and harmonized rules: eliminate conflicting and contradictory regulations; harmonize interpretation of rules between jurisdictions; harmonize regulations and control lists; streamline the regulatory regime so that it is fit for purpose; avoid use of undefined terms (otherwise no level playing field, but risk of market disparities and risk of penalization for misinterpretation)
- Consider developing more harmonized rules, possibly International Organization for Standardization (ISO) standards
- Take into account that small to medium-sized enterprises might need different approaches
- Address the gaps in the international regulatory regime: where deficiencies are found they may be addressed through international collaboration
- Consider common and general certification of suppliers, vendors, manufacturers and facility operators/mutual recognition of security management programmes
- International organizations (including the 1540 Committee) should create better opportunities for regional cooperation and sharing effective practices
- The 1540 Committee could help to compile examples of legislation, regulations and voluntary initiatives and list them on the website

2. Active involvement of industry

- A regular dialogue and mutual exchange of information with government authorities is key to discussing current developments in legislation and practice
- Consultation mechanisms between Governments and industry need to be strengthened, especially when it comes to developing regulations. Allow industry to comment on new concepts, and subject new concepts to test runs together with industry before implementation
- Useful: participation in expert hearings, ability to provide written submissions, position papers/participate in conferences, seminars etc.
- Keep industry informed about upcoming changes
- Work with industry regarding issues for industry/"Sharing is Caring" — governmental authorities and industrial players can form a trustful partnership

3. Rewards

- Compliance is in itself rewarding — but Governments might set up encouraging programmes to combat illicit procurement
- Mandatory versus voluntary measures (e.g. codes of conduct) — authorities should acknowledge industry voluntary compliance initiatives and praise industry for accomplishments once in a while
- Penalties and fines should be a last resort

Enclosure III

New trends and challenges in the area of strategic trade controls identified by academia and industry

1. **(Cross-border) supply chains**

   - Global supply chains are complex and Governments thus need to adapt (quickly) to evolving changes in technology and further upcoming trends
   - Need to harmonize legislation and interpretation of lists; sometimes more than a dozen countries involved within the same supply chain
   - Intangible transfer of technology is not really a new challenge but still important (technology transfers to subsidiaries, intranet access, cloud computing, server location, fragmentary technology transfers for data or system integration, etc.): lack of guidance on these issues

2. **Banking**

   - Guidance on how to deal with financial sanctions is needed: clear assignment of responsibilities for each actor, clear rules, legal certainty
   - Legal regimes have to be compatible with other already existing regimes in the banking sector
   - Crucial point: banks are involved only in financial not in goods transactions

3. **New technologies**

   - There is a clear absence of international controls on 3D printing/additive manufacturing which might pose a real threat in the future
   - Drones or unmanned armed vehicles in general are one new trend where more effective controls need to be developed
   - Biotechnology: the production of synthetic biological products is becoming easier; no need for laboratories but need for more and better control

Enclosure IV

List of participants

States and government authorities

Germany (Federal Foreign Office, Federal Office for Economic Affairs and Export Control), India (Ministry of External Affairs), Mexico (Secretariat of Economy), Poland (Ministry of Foreign Affairs), Republic of Korea (Korea Strategic Trade Institute, Ministry of Foreign Affairs, Ministry of Trade, Industry and Energy), USA (Department of Commerce and Department of State).

International and regional organizations

Caribbean Community Secretariat, European External Action Service, Organization for Security and Cooperation in Europe, Organization for the Prohibition of Chemical Weapons, United Nations, United Nations Office for Disarmament Affairs, 1540 Committee, 1540 Expert Group, International Criminal Police Organization (INTERPOL), World Customs Organization.

Companies and industry associations

Airbus Defence and Space GmbH, AREVA, DHL, Ericsson AB, European Association of Public Banks, Federation of Indian Chambers of Commerce and Industry, International Federation of Freight Forwarders Associations, Flextronics International (Poland), General Electric Company, Indian Chemical Council, GenoTec GmbH, Infineon Technologies AG, Linde Material Handling GmbH, Lufthansa Technik AG, Merck KGaA, Oerlikon Leybold Vacuum, Rolls-Royce, Royal Philips International, Siemens AG, Toshiba Corporation, TradeSecure LLC, United Technologies Corporation, Verband der Chemischen Industrie.

Academia, think tanks and other entities

Centre for Asia Pacific Trade Compliance and Information Security, Pacific Northwest National Laboratory, Stimson Center, Stockholm International Peace Research Institute.

United Nations A/70/787–S/2016/248

General Assembly
Security Council

Distr.: General
15 March 2016

Original: English

General Assembly
Seventieth session
Agenda item 44
Question of Cyprus

Security Council
Seventy-first year

Letter dated 15 March 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 14 March 2016, addressed to you by Mehmet Dânâ, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Y. Halit Çevik
Permanent Representative

16-04178 (E) 180316

Please recycle

Annex to the letter dated 15 March 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing in response to the letter dated 10 March 2016 addressed to you by the Greek Cypriot representative in New York and circulated as a document of the General Assembly and of the Security Council (S/2016/234), which yet again contains false assertions similar to those made in his previous letters. In order to set the record straight, I would like to bring the following to your kind attention.

At the outset, regarding the claims of so-called "infringements of international air traffic regulations" and "violations of the national airspace of the Republic of Cyprus by Turkey", I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. The civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace. As to the false assertions regarding the "illegally issued notices to airmen", it must be underlined that activities within the Ercan advisory airspace that require issuance of notices to airmen are carried out by, and coordinated with, the relevant authorities of the State, in accordance with article 3 of the Convention on International Civil Aviation (Chicago Convention).

Similarly, the claim in the letter regarding the Turkish Cypriot ports is also baseless, given the fact that the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, this claim ignores the present realities on the ground, namely, the existence of two independent self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

As to the repeated false allegations regarding Ercan Airport in the North, it should once again be underlined that the technologically up-to-date Ercan area control centre and airport in North Cyprus have been providing regular, reliable and safe air traffic services since the Greek Cypriot refusal in 1977 to provide air traffic services in the northern part of the island, in line with its isolation policy, which has been imposed on the Turkish Cypriot people. Ever since, all flights within the sovereign airspace of the Turkish Republic of Northern Cyprus have taken place with the full knowledge and permission of the Civil Aviation Department of the Turkish Republic of Northern Cyprus, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or control.

Moreover, the isolation imposed on the Turkish Cypriots, which the Greek Cypriot side attempts to perpetuate by encouraging the international community to deem all air and sea ports in Northern Cyprus as "illegal", is in complete contravention of international law, as well as the call made in the report to the Security Council of Kofi Annan, the then Secretary-General, dated 28 May 2004 (S/2004/437), in which he clearly stated "I would hope they [members of the Security Council] can give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development, deeming such a move as consistent with Security Council resolutions 541 (1983) and 550 (1984)".

The legislation of the Turkish Republic of Northern Cyprus on aeronautical safety meets all standards and recommendations of the International Civil Aviation Organization, providing safe and swift navigation of aircraft landing at or taking off from Ercan Airport and using the airspace of the Turkish Republic of Northern Cyprus. All airports in Northern Cyprus are in full conformity with international standards, and the necessary investments have been made to keep up with the developing technology. The number of air traffic controllers has been increased in accordance with the increasing number of flights over the years, and the Ercan area control centre is in regular and close cooperation with the Ankara area control centre in order to ensure the safe conduct of all flights in the region. In 2015 alone, the number of passengers that used Ercan Airport stood at nearly 3,500,000 (compared with 3,250,000 in 2014), while a 7 per cent increase is expected in 2016. Moreover, in 2015, nearly 26,000 planes used Ercan Airport for arrival and departure, and around 210,000 planes used the Ercan advisory airspace, on which, again, a 7 per cent increase is expected in 2016. In that respect, it must be stressed that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation safety in full conformity with the Chicago Convention, and that it is ready to cooperate with the Greek Cypriot authorities on this very important issue.

At a time when the comprehensive settlement negotiations are progressing swiftly in a result-oriented atmosphere, I deem it necessary to stress the need to fully channel all our efforts towards achieving a just and lasting settlement of the Cyprus conflict in line with the established United Nations parameters and the Joint Declaration of 11 February 2014, which envisage a new partnership on the basis of the political equality of the two peoples of the island within the framework of a bizonal, bicommunal federation with two constituent States of equal status. Moreover, the Greek Cypriot administration should once again be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey.

Availing myself of the present opportunity, I would like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric, which is not reflective of the joint vision and cooperation expressed by the leaders of both communities on the island since the resumption of the settlement talks in May 2015. As the two future partners in the island of Cyprus, we should never lose sight of the fact that the solution of the Cyprus problem will comprehensively deal with all pending issues between the two sides and thus focus all our efforts towards the ultimate goal of settlement.

Finally, I would like to reiterate that, as the Turkish Cypriot side, we are committed to maintaining our constructive and positive stance within the context of your good offices mission in Cyprus and encourage our Greek Cypriot neighbours to follow a similar path.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus

United Nations S/2016/249

Security Council

Distr.: General
15 March 2016

Original: English

Note by the President of the Security Council

At its 7488th meeting, held on 20 July 2015 in connection with the item entitled "Non-proliferation", the Security Council adopted resolution 2231 (2015).

In paragraph 4 of the resolution, the Security Council requested the Director General of the International Atomic Energy Agency to provide regular updates to the Council on the Islamic Republic of Iran's implementation of its commitments under the Joint Comprehensive Plan of Action and to report at any time any issue of concern directly affecting fulfilment of those commitments.

Accordingly, the President herewith circulates the report of the Director General dated 20 January 2016 (see annex).

16-04225 (E) 180316

Please recycle

Annex

Letter dated 20 January 2016 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

I have the honour to enclose herewith the document submitted to the Board of Governors of the International Atomic Energy Agency (see enclosure).

I should be grateful if you would bring the present letter and the enclosed document to the attention of all members of the Security Council.

(*Signed*) Yukiya **Amano**

Enclosure

[Original: Arabic, Chinese, English, French, Russian and Spanish]

Status of Iran's nuclear programme in relation to the Joint Plan of Action*

Report by the Director General

1. As foreshadowed in GOV/2014/2, this report provides information on the status of the Islamic Republic of Iran's (Iran's) nuclear programme in relation to the "voluntary measures" that Iran has agreed to undertake as part of the Joint Plan of Action (JPA) agreed between the E3+3 and Iran on 24 November 2013.[1] The JPA took effect on 20 January 2014, initially for a period of six months.[2] On 24 July 2014, the JPA was extended until 24 November 2014,[3] and on 24 November 2014 it was further extended until 30 June 2015.[4] On 30 June 2015, the E3+3 and Iran requested the Agency, on behalf of the E3/EU+3 and Iran, to continue to undertake the necessary nuclear related monitoring and verification activities in Iran under the JPA "until further communication".[5] On 19 January 2016, the E3+3 and Iran, on behalf of the E3/EU+3 and Iran, informed the Agency that, with the Director General's report (GOV/INF/2016/1) confirming Iran's completion of the necessary preparatory steps to start the implementation of the Joint Comprehensive Plan of Action (JCPOA), the JPA was no longer in effect (see attachment).

2. The Agency confirms that since 20 January 2014, Iran has:

i. not enriched uranium above 5% U-235 at any of its declared facilities;

---

*Circulated to the Board of Governors of the International Atomic Energy Agency under the symbol GOV/INF/2016/3.

[1] The text of the JPA was communicated to the Director General by the High Representative of the European Union (EU), on behalf of the E3+3 (INFCIRC/855), and by the Resident Representative of Iran to the IAEA, on behalf of Iran (INFCIRC/856).

[2] Previous reports on the status of Iran's nuclear programme in relation to the JPA were provided in GOV/INF/2014/1 (20 January 2014), GOV/2014/10, Annex 3 (20 February 2014), GOV/INF/2014/6 (20 March 2014), GOV/INF/2014/10 (17 April 2014), GOV/2014/28, Annex 3 (23 May 2014), GOV/INF/2014/14 (20 June 2014), GOV/INF/2014/16 (20 July 2014), GOV/INF/2014/19 (20 August 2014), GOV/INF/2014/21 (19 September 2014), GOV/INF/2014/23 (20 October 2014), GOV/INF/2014/26 (24 November 2014), GOV/INF/2014/29 (19 December 2014), GOV/2015/15, Annex IV (19 February 2015), GOV/INF/2015/7 (20 March 2015), GOV/INF/2015/8 (20 April 2015), GOV/2015/34, Annex IV (29 May 2015), GOV/INF/2015/12 (1 July 2015), GOV/2015/50, Annex V (27 August 2015), GOV/INF/2015/17 (21 September 2015), GOV/INF/2015/19 (20 October 2015), GOV/2015/65, Annex IV (18 November 2015) and GOV/INF/2015/20 (18 December 2015).

[3] GOV/INF/2014/18, Annex.

[4] GOV/INF/2014/28, Attachment.

[5] GOV/INF/2015/11, Attachment.

ii. not operated cascades in an interconnected configuration at any of its declared facilities;

iii. diluted – down to an enrichment level of no more than 5% U-235 – 108.4 kg of UF_6 enriched up to 20% U-235;[6]

iv. fed 100 kg of UF_6 enriched up to 20% U-235 into the conversion process at the Fuel Plate Fabrication Plant (FPFP) for conversion into uranium oxide;

v. had no process line to reconvert uranium oxides back into UF_6 at FPFP;

vi. not made "any further advances" to its activities at the Fuel Enrichment Plant (FEP), the Fordow Fuel Enrichment Plant (FFEP) or the Arak reactor (IR-40 Reactor), including the manufacture and testing of fuel for the IR-40 Reactor;

vii. provided an updated Design Information Questionnaire (DIQ) for the IR-40 Reactor and concluded with the Agency a safeguards approach for the reactor[7] (based on the updated DIQ and the safeguards measures agreed on 5 May 2014);

viii. fed 4334 kg of UF_6 enriched up to 5% U-235 into the conversion process at the Enriched UO_2 Powder Plant (EUPP) for conversion into uranium oxide;[8]

ix. continued its safeguarded enrichment R&D practices at the Pilot Fuel Enrichment Plant (PFEP), without accumulating enriched uranium;

x. not carried out reprocessing related activities at the Tehran Research Reactor (TRR) and the Molybdenum, Iodine and Xenon Radioisotope Production (MIX) Facility or at any of the other facilities to which the Agency has access;

xi. provided information and managed access to the uranium mine and mill at Gchine,[9] to the Saghand Uranium Mine[10] and the Ardakan Uranium Production Plant;[11]

xii. continued to provide daily access to the enrichment facilities at Natanz and Fordow;

xiii. provided regular managed access to centrifuge assembly workshops, centrifuge rotor production workshops and storage facilities, and provided information thereon; and

---

[6] For details, see GOV/INF/2014/26, footnote 4.

[7] On 31 August 2014.

[8] On 16 January 2016, the Agency verified that 2676 kg of uranium in the form of UO_2 enriched up to 5% U-235 had been produced since the plant started operation.

[9] On 29 January 2014.

[10] On 6 May 2014.

[11] On 7 May 2014.

xiv. provided,[12] in relation to enhanced monitoring, the following:

- plans for nuclear facilities and a description of each building on each nuclear site;
- descriptions of the scale of operations being conducted for each location engaged in specified nuclear activities; and
- information on uranium mines and mills, and on source material.

3. In addition, the Agency confirms that since 24 July 2014, Iran has:

i. used 119.8 kg of U_3O_8, converted from UF_6 enriched up to 20% U-235, for the manufacture of fuel items for TRR;[13,14]

ii. used 5.75 kg of U_3O_8, converted from UF_6 enriched up to 20% U-235, for the manufacture of miniature fuel plates for Mo^{99} production;[15] and

iii. diluted about 4118 kg of UF_6 enriched up to 2% U-235 to the level of natural uranium.

[12] As of 20 April 2014: pursuant to Iran's undertaking to provide this information within three months of the JPA taking effect, i.e. 20 January 2014.

[13] The Agency has verified that, since 24 July 2014, an additional 19.4 kg of this U_3O_8 (6.2 kg prior to 24 November 2014 and 13.2 kg since that date), have been generated by and removed from the fuel fabrication process as scrap. Iran reported that this nuclear material had not met the technical specification for fuel fabrication.

[14] Between 16 September 2015 and 7 November 2015, Iran recovered uranium in the form of U_3O_8 from the solid and liquid scrap originating from the conversion and fuel fabrication processes associated with the manufacture of fuel items. The Agency has verified that during this period Iran recovered 44.7 kg of uranium in the form of U_3O_8 suitable for fuel fabrication, of which 41.0 kg has been used for the manufacture of fuel items for TRR.

[15] In a letter dated 28 December 2014, Iran informed the Agency that FPFP was to start the production of miniature fuel plates for the MIX Facility for Mo^{99} production.

Attachment

Vienna, 19 January 2016

Dear Director General,

We refer to the Joint Comprehensive Plan of Action (JCPOA) concluded on 14 July 2015 between China, France, Germany, the Russian Federation, the United Kingdom, the United States, the High Representative of the European Union for Foreign Affairs and Security Policy, and the Islamic Republic of Iran.

We also refer to our letter of 30 June 2015. With the report by the Director General (GOV/INF/2016/1) confirming that Iran has completed the necessary preparatory steps to start the implementation of the Joint Comprehensive Plan of Action, we the undersigned, on behalf of the E3/EU+3 and Iran, hereby inform the IAEA that the Joint Plan of Action (JPoA) is no longer in effect.

We would like to use this opportunity to express our gratitude to you and the staff of the IAEA for their work in connection with the JPoA.

Yours sincerely,

[*Signed*]
HE Mr Jingye CHENG
Permanent Representative of China

[*Signed*]
Mr Asadollah Eshragh JAHROMI
Chargé d'affaires,
Permanent Representation of the
Islamic Republic of Iran

[*Signed*]
HE Ms Marion PARADAS
Permanent Representative of France

[*Signed*]
HE Mr Friedrich DÄUBLE
Permanent Representative of Germany

[*Signed*]
HE Mr Vladimir VORONKOV
Permanent Representative of the Russian Federation

[*Signed*]
HE Ms Susan LE JEUNE D'ALLEGEERSHECQUE
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland

[*Signed*]
HE Mr Henry S. ENSHER
Permanent Representative of the United States of America

United Nations S/2016/250

Security Council

Distr.: General
15 March 2016

Original: English

Note by the President of the Security Council

At its 7488th meeting, held on 20 July 2015 in connection with the item entitled "Non-proliferation", the Security Council adopted resolution 2231 (2015).

In paragraph 4 of the resolution, the Security Council requested the Director General of the International Atomic Energy Agency to provide regular updates to the Council on the Islamic Republic of Iran's implementation of its commitments under the Joint Comprehensive Plan of Action and to report at any time any issue of concern directly affecting fulfilment of those commitments.

Accordingly, the President herewith circulates the report of the Director General dated 26 February 2016 (see annex).

16-04228 (E) 180316

Please recycle

Annex

Letter dated 26 February 2016 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

I have the honour to enclose herewith the document submitted to the Board of Governors of the International Atomic Energy Agency (see enclosure).

I should be grateful if you would bring the present letter and the enclosed document to the attention of all members of the Security Council.

(*Signed*) Yukiya **Amano**

Enclosure

[Original: Arabic, Chinese, English, French, Russian, Spanish]

Verification and monitoring in the Islamic Republic of Iran in light of United Nations Security Council resolution 2231 (2015)*

Report by the Director General

Main Developments

- On 2 December 2015, the Director General provided a report to the Board of Governors on the final assessment of all past and present outstanding issues and, on 15 December 2015, the Board of Governors adopted a resolution in which, inter alia, it noted that all activities in the Road-map had been implemented and that its consideration of this item was closed.
- Between JCPOA Adoption Day and Implementation Day, under Agency verification and monitoring, Iran took steps towards the implementation of its JCPOA nuclear-related commitments.
- On 16 January 2016, the Director General confirmed that the Agency had verified that Iran had taken the actions specified in paragraphs 15.1–15.11 of Annex V of the JCPOA. JCPOA Implementation Day occurred on the same day.
- The Agency continued monitoring and verification in relation to the nuclear-related measures set out in the Joint Plan of Action until 16 January 2016.
- Since Implementation Day, the Agency has been verifying and monitoring the implementation by Iran of its nuclear-related commitments under the JCPOA.

* Circulated to the Board of Governors of the International Atomic Energy Agency under the symbol GOV/2016/8.

A. Introduction

1. This report of the Director General to the Board of Governors and, in parallel, to the United Nations Security Council (Security Council), is on the Islamic Republic of Iran's (Iran's) implementation of its nuclear-related commitments under the Joint Comprehensive Plan of Action (JCPOA) and on matters related to verification and monitoring in Iran in light of Security Council resolution 2231 (2015). It also provides information, inter alia, regarding the clarification of past and present unresolved issues, the Joint Plan of Action (JPA), financial and administrative matters, and the Agency's consultations and exchanges of information with the Joint Commission, established by the JCPOA.

B. Recent Developments

B.1. Clarification of Unresolved Issues

2. On 2 December 2015, the Director General, in line with the Road-map for the clarification of past and present outstanding issues regarding Iran's nuclear programme (Road-map),[1] provided a report to the Board of Governors on the final assessment of all past and present outstanding issues,[2] as set out in the Director General's report in November 2011 (GOV/2011/65). On 15 December 2015, the Board of Governors adopted resolution GOV/2015/72, in which, inter alia, it noted that all activities in the Road-map had been implemented in accordance with the agreed schedule and that "this closes the Board's consideration of this item".[3]

B.2. JCPOA

3. As previously reported,[4] on 14 July 2015, the E3/EU+3 and Iran agreed on the JCPOA. On 20 July 2015, the Security Council adopted resolution 2231 (2015), in which, inter alia, it requested the Director General to "undertake the necessary verification and monitoring of Iran's nuclear-related commitments for the full duration of those commitments under the JCPOA".[5] On 25 August 2015, the Board of Governors authorized the Director General to implement the necessary verification and monitoring of Iran's nuclear-related commitments as set out in the JCPOA, and report accordingly, for the full duration of those commitments in light of Security Council resolution 2231 (2015), subject to the availability of funds and consistent with the Agency's standard safeguards practices; and also authorized the Agency to consult and exchange information with the Joint Commission, as set out in GOV/2015/53 and Corr.1.

---

[1] GOV/INF/2015/14.
[2] GOV/2015/68.
[3] GOV/2015/72, para. 9.
[4] GOV/2015/50, para. 11.
[5] The actions requested of the Director General by the Security Council as contained in resolution 2231 (2015) are set out in GOV/2015/53 and Corr.1, para. 8.

B.2.1. Resolution of the Board of Governors

4. In resolution GOV/2015/72, the Board of Governors also decided that, upon its receipt of the Director General's report that the Agency had verified that Iran had taken the actions specified in paragraphs 15.1–15.11 of Annex V of the JCPOA, the provisions of its previous resolutions, and decisions on the provision of technical cooperation for Iran, should be terminated;[6] that it would be no longer seized of the matter "Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran"; and that it would become seized of a separate agenda item covering JCPOA implementation and verification and monitoring in Iran in light of Security Council resolution 2231 (2015).[7]

B.2.2. Implementation Day

5. Between JCPOA Adoption Day (18 October 2015) and Implementation Day (16 January 2016), under Agency verification and monitoring, Iran took steps towards the implementation of its nuclear-related commitments under the JCPOA.

6. On 16 January 2016, the Director General, in a report to the Board of Governors and in parallel to the Security Council, confirmed that the Agency had verified that Iran had taken the actions specified in paragraphs 15.1–15.11 of Annex V of the JCPOA.[8] Implementation Day occurred on the same day.[9] The Director General announced that this paved the way for the Agency to begin verifying and monitoring Iran's nuclear-related commitments under the JCPOA, as requested by the Security Council and authorized by the Board of Governors.[10]

7. On 18 January 2016, the Director General had meetings in Tehran with the President of Iran, HE Hassan Rouhani, the Vice-President of Iran and President of the Atomic Energy Organization of Iran, HE Ali Akbar Salehi and the Foreign Minister of Iran, HE Mohammad Javad Zarif, to discuss matters related to JCPOA implementation.

8. During the meeting of the Board of Governors on 19 January 2016, which was convened by the Director General to discuss the implementation of the JCPOA, the Board of Governors expressed support for the JCPOA.

9. On 12 February 2016, the Director General had a meeting in Munich with Dr Zarif to discuss matters related to JCPOA implementation.

---

[6] GOV/2015/72, para. 11.

[7] GOV/2015/72, para. 13.

[8] GOV/INF/2016/1.

[9] On Implementation Day, upon the receipt by the Security Council of the Director General's report contained in GOV/INF/2016/1, the provisions of Security Council resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), 1929 (2010) and 2224 (2015) terminated in accordance with the terms of resolution 2231 (2015). On the same date, the provisions of the Board of Governors' previous resolutions, and decisions on the provisions of technical assistance to Iran terminated in accordance with paragraph 11 of the Board of Governors' resolution GOV/2015/72. Consequently, the Secretariat's procedures (see GOV/2007/7, para. 7) for the evaluation of technical cooperation for Iran are no longer in effect.

[10] Note by the Secretariat, 2016/Note 5.

B.3. Completion of JPA Monitoring and Verification

10. The Agency continued monitoring and verification in relation to the nuclear-related measures set out in the JPA until the E3+3 and Iran (on behalf of the E3/EU+3 and Iran) informed the Agency that, with the Director General's report (GOV/INF/2016/1) on 16 January 2016 confirming that Iran had completed the necessary preparatory steps to start the implementation of the JCPOA, the JPA was no longer in effect.[11]

B.4. Financial and Administrative Matters

11. The total expenditure incurred by the Agency for monitoring and verification in relation to the JPA and for preparatory activities under the JCPOA, was €15.2 million. Of this amount, €1.0 million was funded from the Regular Budget, while the remainder was funded through extrabudgetary contributions from a total of 31 Member States.

12. The estimated annual cost to the Agency for the implementation of Iran's Additional Protocol and for verifying and monitoring Iran's nuclear-related commitments as set out in the JCPOA is €9.2 million per annum, all of which is to be provided from extrabudgetary funds in 2016. As of 26 February 2016, the total amount available to the Agency for the implementation of the Additional Protocol and for verification and monitoring in relation to the JCPOA was €8.8 million, including the unspent balance of the funds for JPA activities.

13. On 1 March 2016, the Iran Task Force will be replaced by a new Office in the Department of Safeguards to discharge the Agency's responsibilities in relation to verification and monitoring activities in Iran.

C. JCPOA Verification and Monitoring Activities

14. Since Implementation Day, the Agency has verified and monitored Iran's implementation of its nuclear-related commitments under the JCPOA, and reports the following.

C.1. Activities Related to Heavy Water and Reprocessing

15. Iran has not pursued the construction of the existing Arak heavy water research reactor (IR-40 Reactor) based on its original design.[12] Iran has not produced or tested natural uranium pellets, fuel pins or fuel assemblies specifically designed for the support of the IR-40 Reactor as originally designed, and all existing natural uranium pellets and fuel assemblies remained in storage under continuous Agency monitoring (paras 3 and 10).[13]

---

[11] GOV/INF/2016/3, Annex.

[12] The calandria was removed from the reactor and rendered inoperable during preparation for Implementation Day and has been retained in Iran (GOV/INF/2016/1, Arak heavy water research reactor, paras. 3(ii) and 3(iii)).

[13] The paragraph references in parentheses throughout Sections C, D and E of this report correspond to the paragraphs of 'Annex I – Nuclear-related measures' of the JCPOA.

facilities for the purpose of converting fuel plates or scrap back into UF_6, nor has it informed the Agency that it has built any new facilities for such a purpose (para. 58).

C.3. Centrifuge Research & Development, Manufacturing and Inventory

24. Since Implementation Day, no enriched uranium has been accumulated through enrichment R&D activities, and Iran's enrichment R&D with and without uranium has been conducted using centrifuges within the limits defined in the JCPOA (paras 32–42).

25. Since Implementation Day, Iran has provided to the Agency declarations of Iran's production and inventory of centrifuge rotor tubes and bellows and permitted the Agency to verify these (para. 80.1). The Agency has conducted continuous monitoring, including through the use of containment and surveillance measures, and verified that the declared equipment has been used for the production of rotor tubes and bellows to manufacture centrifuges only for the activities specified in the JCPOA (para. 80.2). Iran has not produced any IR-1 centrifuges to replace those that have been damaged or failed (para. 62) and the Agency has verified and monitored the production of other types of centrifuge and their rotor tubes and bellows (para. 61). All declared rotor tubes, bellows and rotor assemblies have been under continuous monitoring by the Agency, including those rotor tubes and bellows manufactured since Implementation Day (para. 70).[20]

D. Transparency Measures

26. Iran has continued to permit the Agency to use on-line enrichment monitors and electronic seals which communicate their status within nuclear sites to Agency inspectors, and to facilitate the automated collection of Agency measurement recordings registered by installed measurement devices (para. 67.1). Iran has issued long-term visas to Agency inspectors designated for Iran as requested and provided proper working space for the Agency at nuclear sites and facilitated the use of working space at locations near nuclear sites in Iran (para. 67.2).

27. Iran has continued to permit the Agency to monitor - through measures agreed with Iran, including containment and surveillance measures - all uranium ore concentrate (UOC) produced in Iran or obtained from any other source, and reported by Iran to the Agency. Iran also provided the Agency with all information necessary to enable the Agency to verify the production of UOC and the inventory of UOC produced in Iran or obtained from any other source (para. 69).

[20] Since Implementation Day, the Agency has verified that Iran has manufactured rotor tubes and bellows. On 22 February 2016, Iran declared that it had ceased manufacturing rotor tubes. Verification by the Agency will take place at its next visit.

E. Other Relevant Information

28. On 16 January 2016, as notified in its letter to the Director General of 7 January 2016, Iran began to provisionally apply the Additional Protocol to its Safeguards Agreement in accordance with Article 17(b) of the Additional Protocol, pending its entry into force, and to fully implement the modified Code 3.1 of the Subsidiary Arrangements to its Safeguards Agreement.

29. On 16 January 2016, Iran, as part of its initial declaration under Article 2 of the Additional Protocol and as described in paragraph 52 of Section I of Annex I of the JCPOA, submitted its enrichment and enrichment R&D plan to the Agency (para. 52).

30. On 25 February 2016, the Agency, upon invitation, attended a meeting of the Procurement Working Group of the Joint Commission, as an observer (JCPOA, Annex IV – Joint Commission, para. 6.4.6).

31. On 15 February 2016, Iran provided the Agency with early design information for two planned light water power reactors at Bushehr.

F. Summary

32. The Agency continues to verify the non-diversion of declared nuclear material at the nuclear facilities and locations outside facilities where nuclear material is customarily used (LOFs) declared by Iran under its Safeguards Agreement. Agency activities under the Additional Protocol, to ascertain that there are no indications of undeclared nuclear material or activities in Iran, commenced on 16 January 2016.

33. On 2 December 2015, the Director General provided the Board of Governors with the final assessment of all past and present outstanding issues and, on 15 December 2015, the Board of Governors decided to close its consideration of this item.

34. On 16 January 2016, the Director General released a report stating that the Agency had verified that Iran had taken the actions specified in the JCPOA. Implementation Day occurred on the same day.

35. Since Implementation Day, the Agency has been verifying and monitoring the implementation by Iran of its nuclear-related commitments under the JCPOA.

36. The Director General will continue to report as appropriate.

United Nations S/2016/251

Security Council

Distr.: General
16 March 2016

Original: English

Letter dated 16 March 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to bring to your attention the aggressive joint military exercises called Key Resolve and Foal Eagle 16, which are now being conducted by the United States and south Korea against the Democratic People's Republic of Korea.

The US-led joint military exercises are the largest-ever in size and scope, mobilizing massive armed forces and all kinds of strategic nuclear weapons, such as an aircraft carrier, nuclear submarines and stealth bombers. These real war-like military manoeuvres are also truly aggressive in their nature, characterized by a "beheading operatio " aimed to remove the supreme leadership of the DPRK and "bring down its social system" pursuant to the US-drafted war scenario entitled Operations Plan (OPLAN) 5015.

The US-south Korea joint military exercises constitute a grave threat to the DPRK as well as international peace and security and deserve urgent consideration by the Security Council.

Therefore, I request that the issue of the US joint military exercises be placed on the Security Council agenda and that a meeting of the Council be urgently held in accordance with Articles 34 and 35 of the Charter of the United Nations.

I would like to recall that the Security Council has unjustifiably ignored several requests by the DPRK to place the issue of the US joint military exercises on the agenda of the Council.

The Security Council should accept the DPRK request in order to consider the issues truly related to maintaining international peace and security, such as the US-south Korea aggressive joint military exercises, rather than dealing with the DPRK so-called "human rights situation", which has nothing to do with international peace and security, thereby practically contributing to maintaining international peace and security by removing the root cause of tensions and war on the Korean Peninsula.

Should the Security Council again ignore the DPRK just request to discuss the US joint military exercises, it will show itself that it is not only giving up its primary mission of maintaining international peace and security and losing the credibility of the international community, but also becoming the political tool of an individual power.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

United Nations S/2016/252

Security Council

Distr.: General
17 March 2016

Original: English

Letter dated 16 March 2016 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to my letter dated 27 November 2015 and its annex, and my letter dated 8 January 2016 regarding item 55 in paragraph 3 of the summary statement by the Secretary-General of matters of which the Security Council is seized and of the stage reached in their consideration (S/2016/10), namely the item entitled "Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General" (S/3963), I have the honour to convey herewith a concise report on the series of steps and measures taken by the Egyptian Government in the context of Egyptianization of the Sudanese Hala'ib Triangle (see annex).

Having brought these developments to your kind attention, I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Omer Dahab Fadl **Mohamed**
Permanent Representative

16-04361 (E) 180316 180316

Please recycle

Annex to the letter dated 16 March 2016 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Continuation of measures by Egypt to Egyptianize the Hala'ib triangle

1. On 14 February 2016, the Egyptian ministerial committee for services held a meeting that was presided over by the Egyptian Prime Minister, Sherif Ismail. A number of matters relating to services in all governorates were reviewed at that meeting, including the rapid development plan for the Hala'ib-Shalatin-Abu Ramad triangle. The Egyptian Prime Minister reaffirmed that great progress had been made in the implementation of service- and development-related projects in Hala'ib, Shalatin and Abu Ramad. The Egyptian Prime Minister also reaffirmed his country's intention to complete implementation of the plan after the Council of Ministers had approved the allocation of 764 million Egyptian pounds for that purpose.

2. The above-mentioned plan includes projects related to public facilities, health, agriculture, the environment, security, the media, education and religious endowments, including the opening of three mosques in the Shalatin area by the Egyptian Minister of Awqaf, three cultural centres in Hala'ib, Shalatin and Abu Ramad, and a media centre in the Shalatin area by the Egyptian Minister of Culture.

3. On 21 February 2016, the Governor of Red Sea governorate, Major General Ahmad Abdullah, announced that work would begin in the near future on new, additional projects in the Hala'ib-Shalatin-Abu Ramad triangle. In addition, the Ministry of Housing and Facilities decided to order the construction agency to build 1,500 housing units for Bedouins and to execute other projects related to telecommunications. During a visit to the Hala'ib triangle, the Governor also opened five schools at various educational levels, as well as a nursing school, four health clinics, three solar power stations and plants to desalinate water from the Red Sea in the eastern part of the triangle.

4. The execution of such a large number of projects is part of the Egyptian strategy designed to Egyptianize the Hala'ib triangle, particularly given that the entity directly responsible for those projects is the Council of Ministers. This confirms that the Egyptians are accelerating the practical measures being taken on the ground to Egyptianize the Hala'ib triangle.

United Nations S/2016/253

Security Council

Distr.: General
17 March 2016
English
Original: Arabic

Identical letters dated 16 March 2016 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, and further to our previous letters in which we indicated that the so-called international coalition led by the United States of America had attacked oil and gas installations in the Syrian Arab Republic and the country's economic infrastructure, I should like to inform you that the so-called international coalition has bombed the following installations:

- The Kubaybah gas compressor station in Hasakah governorate on 9 December 2015
- The Markadah gas separation station on 12 December 2015
- The free gas station in Raqqah governorate on 4 February 2016
- The Conoco Dayr al-Zawr gas collection and treatment plant on 8 March 2016

The bombing resulted in substantial material losses and the almost total destruction of some of those facilities. This is in addition to the great destruction that has been caused to Syrian oil and gas sites and installations, particularly in Dayr al-Zawr, Raqqah and Hasakah governorates.

The Government of the Syrian Arab Republic once again calls for the immediate cessation of these practices and stresses that it has the right to demand compensation from the States of the so-called international coalition for the deliberate destruction of Syrian service, industrial, production and gas installations.

I should be grateful if the present letter could be issued as a document of the Security Council.

(*Signed*) Mounzer **Mounzer**
Chargé d'affaires a.i.

16-04358 (E) 210316 210316

Please recycle